

Bill of Complaint 25X1A
(*Filed*)

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

Complainant

v.

Defendant.

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COMMONWEALTH OF VIRGINIA,

COUNTY OF FAIRFAX, To-wit:

THIS DAY came the complainant,

and after being duly sworn, deposed and said as follows:

The defendant, , is a

non-resident of the Commonwealth of Virginia. To the best of
my information, knowledge and belief his last known address is:

Subscribed and sworn to before me this 8th day of

MARCH
~~February~~, 1973.

Notary Public

My commission expires Feb 9, 1977

STATINTL

LAW OFFICES

WASHINGTON, D. C.

STATINTL

VIRGINIA :

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

STATINTL

Complainant

Defendant

BILL OF COMPLAINT

TO THE HONORABLE JUDGES OF SAID CIRCUIT COURT:

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Complainant [redacted] files this, her Bill of Complaint for a decree of divorce a mensa et thoro, and respectfully states as follows:

1. The Complainant is a resident of and domiciled in Fairfax County, Virginia, and is and has been an actual bona fide resident of and domiciled in the State of Virginia for more than one year preceding the institution of this suit.

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2. That the parties hereto are husband and wife, having been lawfully married on [redacted]

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3. That the parties hereto last cohabited as husband and wife at [redacted]

4. That no children were born of this marriage.

5. That both parties hereto are members of the Caucasian race; that both parties are over the age of 21 years; that neither party is a member of the Armed Forces of the United States.

6. That on or about September 1, 1971, the Defendant did willfully desert and abandon Complainant, without just cause or excuse, and with no intention of returning; that said desertion has continued without interruption until the present time, and no reconciliation is probable.

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LAW OFFICES


WHEREFORE Complainant prays that she may be awarded a divorce a mensa et thoro from the Defendant on the grounds of desertion with leave to have the

WASHINGTON, D. C.

same merged into an absolute divorce of a vinculo matrimonii upon the expiration of the statutory period and upon meeting the statutory requirements; that all the property rights between the parties be settled; that the Defendant be ordered to pay such sums of money as may be required and proper for the maintenance and support of Complainant pendente lite and permanent; that Defendant be ordered to pay to Complainant such sums as may have been paid to him on Complainant's behalf for Complainant's maintenance and support and such sums as Complainant may have been required to expend on behalf of Defendant; that Defendant be required to pay reasonable attorneys' fees and costs incurred by Complainant in the prosecution of this proceeding; and that Complainant may be granted such further and general relief as the nature of this cause may require, and this Court deems necessary and proper.

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STATINTL


Complainant

STATINTL

LAW OFFICES


WASHINGTON, D. C.

V I R G I N I A:

IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

[Redacted]

Complainant,

v.

[Redacted]

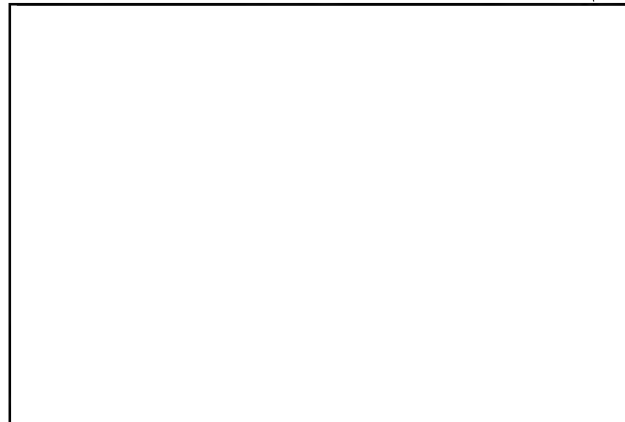
Defendant.

CHANCERY NO. _____

MEMORANDUM FOR ORDER OF PUBLICATION

The object of this suit is to obtain a divorce A Mensa Et Thoro on the grounds of desertion. The parties to this cause have lived separate and apart, without interruption and without cohabitation since September 1, 1971, and there is no hope of reconciliation.

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STATINTL

LAW OFFICES

[Redacted]

WASHINGTON, D. C.

STATINTL

COUNTY, VIRGINIA

STATINTL

STATINTL

[Redacted]

Complainant

versus

[Redacted]

ORDER OF PUBLICATION

[Redacted]

Defendant

The object of this suit is to obtain a divorce a mensa et thoro by the Complainant from the Defendant on the grounds of desertion. The parties to this cause have lived separate and apart, without interruption and without cohabitation since September 1, 1971, and there is no hope of reconciliation.

An affidavit having been made and filed showing that the Defendant in the above entitled cause is a non-resident of the State of Virginia, and that his name and last known post-office address is as follows: to-wit: [Redacted]

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Upon consideration whereof this Order of Publication is granted, and it is ordered that the above named non-resident Defendant do appear here within ten days after due publication of this order and do what is necessary to protect his interest in this cause.

TESTE: W. FRANKLIN GOODING, CLERK

By:

Deputy Clerk

STATINTL

[Redacted]
Counsel's for Complainant

25X1A

[Redacted]

4t

STATINTL




January 10, 1973



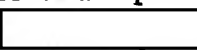

AIR MAIL
SPECIAL DELIVERY

STATINTL

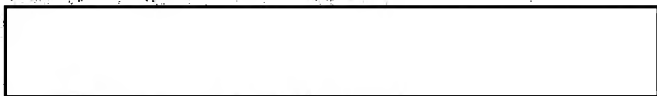


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 the attorney for your wife, has been in contact with me concerning my correspondence to you on November 2, 1972 (copy of which is enclosed), and the request for information contained therein. Accordingly, would you kindly advise me as to the information requested in said correspondence, as well as your travel plans back to the United States, if any.

There has been some discussion by  and  the Agency concerning the supplemental payments made to you supposedly for your wife's use, and the initial response, at least at the lower levels, has been one of surprise that payments were made at all. Accordingly, both  and I are somewhat  reluctant to pursue the matter further, fearful that an audit might prove to be embarrassing if, in fact, the payments were improperly made.

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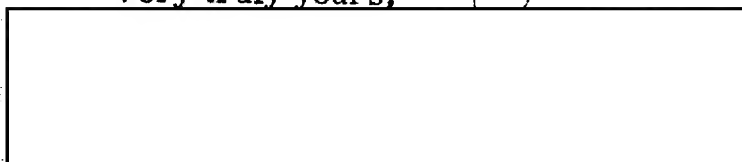
January 10, 1973

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Therefore, we would like to resolve this matter as quickly as possible without involving the Agency on the theory that it is best to leave well enough alone. Please respond with your comments as soon as possible.

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Very truly yours,



STATINTL



Enclosure

OGC 73-2281

11 December 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Response to [redacted] EA Support,
on [redacted]

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1 [redacted] orally advised the undersigned that [redacted] is in the process of getting a divorce from his wife and has asked if a custody agreement which establishes joint or mutual custody would provide him the maximum travel benefits and allowances for his children.

[redacted] subsequently advised that [redacted] was looking to the Agency and this Office for language which would provide the maximum benefits. [redacted] is represented by

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[redacted] is represented by [redacted]

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2. After reviewing our regulations and OGC opinions relating to custody of children (OGC 69-2073, OGC 72-0891 and OGC 72-1258), I advised [redacted] as follows:

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a. The Agency and this Office should not and will not get involved in writing the language of a separation agreement for an employee. Both the employee and his spouse are represented by counsel whose guidance they should follow. [redacted] however, should be advised of the basic requirements of travel benefits and allowances.

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b. With respect to the question of joint or mutual custody, I advised [redacted] that I had checked with a judge in the Juvenile and Domestic Relations Court, Fairfax County,

and learned that agreements between the parties to a divorce receive different legal efficacy in the final divorce decree. One type is usually "ratified and affirmed" by the decree and this means that the covenants therein cannot be enforced by means of a contempt of court citation. The second type agreement is "incorporated by reference" in a divorce decree and this type may be enforced by contempt of court. An agreement between the parties which establishes joint or mutual consent is almost always given sanction by the court to the lesser degree; that is, a breach of a covenant could not be enforced by contempt of court. Finally, I advised [] that if this Office were presented with a question on entitlements where a separation agreement contained an expression of joint or mutual custody, we would treat it as a situation in which there was no expression of custody. This means that we would look at the question of de facto custody for a determination on travel benefits and allowances. STATINTL

3. In the course of dictating this memorandum, [] called. I explained to him essentially what I have set out above and advised that a de facto determination of custody would have to be made on all the facts relative to the family relationship and the children within it. If the determination is that he has de facto custody of the children, then they of course would be entitled to benefits. If the reverse is true, he would not be entitled to benefits.

4. [] asked that I make it a matter of record that if either [] called this Office concerning [] entitlements, we have his permission to respond fully to their questions. STATINTL

Assistant General Counsel

cc: [] EA Support

[] ks

Distribution:

Original - DOMESTIC RELATIONS

1 - [] Signer

1 - Chrono